

FILED

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA**

SEP 27 2021
CARMELITA REEDER SHINN, CLERK
U.S. DIST. COURT WESTERN DIST. OKLA.
BY *Reb* , DEPUTY

TIESHIA BOWIE,
Plaintiff,

) **JURY TRIAL DEMANDED**

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v.

) **Case No.**

PHOENIX FINANCIAL SERVICES,
LLC.,
Defendant.

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COMPLAINT AND DEMAND FOR JURY TRIAL

I. INTRODUCTION

1. This is an action for actual damages, cost and statutory damages brought by Plaintiff, Tieshia Bowie, an individual consumer, against Defendant, Phoenix Financial Services, LLC., ("PFS") for violations of the Fair Debt Collection Practices Act, 15 U.S.C § 1692 *et seq.* (hereinafter "FDCPA"), which prohibits debt collectors from engaging in abusive, deceptive, and unfair practices.

II. JURISDICTION AND VENUE

2. Jurisdiction of this court arises under 15 U.S.C § 1692k(d) 28 U.S.C 1331. Venue in this District is proper in that the Defendants transact business in Oklahoma City, Oklahoma County, Oklahoma, and the conduct complained of occurred in Oklahoma City, Oklahoma County, Oklahoma.

III. PARTIES

3. Plaintiff Tieshia Bowie (hereinafter “Ms. Bowie”) is a natural person residing in Oklahoma City, Oklahoma County, Oklahoma. Ms. Bowie is a consumer as defined by the Fair Debt Collection Practices Act, 15 U.S.C. §1692a(3).
4. Upon information and belief, Defendant Phoenix Financial Services, LLC., is an Indianapolis corporation with its principal place of business located at 8902 Otis Avenue, Indianapolis, IN 46216.
5. Defendant Phoenix Financial Services, LLC., is engaged in the collection of debt from consumers using the mail and telephone. Defendant regularly attempts to collect consumers’ debts alleged to be due to others.

IV. FACTS OF THE COMPLAINT

6. Defendant, Phoenix Financial Services, LLC., (hereinafter referred to as “Debt Collector”) is a “debt collector” as defined by the FDCPA, 15 U.S.C 1692a(6).
7. On or about July 2, 2021, Ms. Bowie reviewed her credit report on “credit karma.”
8. On the report, Ms. Bowie observed a trade line from Debt Collector.
9. Debt Collector furnished a trade line of \$1,026, allegedly owned to Emergency Physicians of Mid.
10. Also on July 2, 2021, Plaintiff made a dispute via telephone, however on September 26, 2021 Plaintiff re-checked her credit reports and Debt Collector has had several communications with the consumer reporting agencies and Debt Collector failed to communicate that the debt was disputed by Plaintiff.
11. Debt Collector’s publishing of such inaccurate and incomplete information has severely damaged the personal and credit reputation of Ms. Bowie and caused severe humiliation, emotional distress, mental anguish and damage to his FICO scores.

V. FIRST CLAIM FOR RELIEF
(Defendant Phoenix Financial Services, LLC.,)
15 U.S.C. §1692e(8)

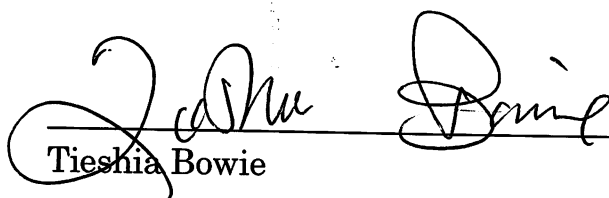
12. Ms. Bowie re-alleges and reincorporates all previous paragraphs as if fully set out herein.
13. The Debt Collector violated the FDCPA.
14. The Debt Collector's violations include, but are not limited to, the following:
 - (a) The Debt Collector violated 15 U.S.C § 1692e(8) of the FDCPA by failing to disclose to the consumer reporting agencies that the alleged debt was in dispute by Ms. Bowie.
15. As a result of the above violations of the FDCPA, the Defendants are liable to the Ms. Bowie actual damages, statutory damages and costs.


VI. JURY DEMAND AND PRAYER FOR RELIEF

WHEREFORE, Plaintiff Tieshia Bowie respectfully demands a jury trial and requests that judgment be entered in favor of Plaintiff and against the Debt Collector for:

- A. Judgment for the violations occurred for violating the FDCPA;
- B. Actual damages pursuant to 15 U.S.C 1692k(1)(2);
- C. Statutory damages pursuant to 15 U.S.C 1692k(2);
- D. Cost pursuant to 15 U.S.C 1692k(3);
- E. For such other and further relief as the Court may deem just and proper.

Respectfully submitted:


Tieshia Bowie


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